Agenda Item #: 3H-4

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date:	June 3, 2014	[X] Consent [] Ordinance	[] Regular [] Public Hearing
Department:	Facilities Development	& Operations	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a First Amendment to the Interlocal Agreement (R2009-0420) with the Village of Wellington (Village) to lease and maintain a fuel control reader at the Village's public works facility.

Summary: The Agreement which provides the terms and conditions under which the County leases and maintains the fuel control reader for the Village at the Village's public works facility expired on May 19, 2014. The Agreement provides for two renewals for five (5) years each. The Village has approved a retroactive renewal to extend the term of the Agreement to May 19, 2019 and the renewal now requires Board approval. Under the terms of the Agreement, the County provides and maintains the fuel control reader, provides fuel access cards and monthly fuel accounting to the Village. In exchange, the Village pays equipment rental fees and for services provided by the County. In addition, the Village allows PBSO to fuel at this location which benefits law enforcement efforts. The Agreement may be terminated by either party, with or without cause, with a minimum of six (6) months notice. (Fleet Management) District 6 (JM)

Background and Justification: Fleet Management has leased this equipment to the Village dating back to October 1, 1990. Under the terms of the Agreement, the County provides and maintains the fuel control reader, provides fuel access cards and monthly fuel accounting to the Village. In exchange, the Village pays equipment rental fees and for services provided by the County. In addition, the Village allows PBSO to fuel at this location which benefits law enforcement efforts.

Attachments:

First Amendment

Recommended By:	An my Wo up Department Director	5/10/14 Date	
Approved By:	County Administrator	Date	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

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Fiscal Years		2014	2015	2016	2017	2018
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County		(\$1,216.00)	(\$3,648.00)	(\$3,648.00	(\$3,648.00)	(\$3,648.00)
NET FISCAL IMPACT		(\$1,216.00)	(\$3,648.00)	(\$3,648.00)	(\$3,648.00)	(\$3,648.00)
# ADDITIONAI POSITIONS (Cumulative)	L FTE					
Is Item Includ	ed in Cu	rrent Budget:	Yes X	No	_	
	Dept Dept nded Sou	Unit rces of Funds/Su		ue Source		
A. OFMB Fis	cal and/o	or Contract Deve	lanment Comme	ante		
B. Legal Suff Assistant C	iciency:	Suchard As shop	Contract E	J. Week Development and A Big header	Control 51/6	-//Y
C. Other Dep	artment	Review:				

Department Director

FIRST AMENDMENT TO INTERLOCAL AGREEMENT

THIS FIRST AMENDMENT to Interlocal Agreement R2009-0420, dated March 17, 2009, is made as of _______, by and between the Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as the "County", and the Village of Wellington, a unit of government duly incorporated on December 31, 1995, hereinafter referred to as "Village".

In consideration of the mutual promises contained herein, the County and Village agree as follows:

- 1. The term of Interlocal Agreement R2009-0420 (the "Agreement") expires on May 19, 2014, and shall be retroactively extended to May 19, 2019, pursuant to the exercise of the first renewal option.
- 2. Paragraph number 2a is hereby modified as follows:

Village shall pay to the County for lease of the equipment and other services to be provided hereunder, the sum of three hundred and four dollars (\$304.00) each month, payable in advance on the 1st day of each month. Payments shall be payable to Palm Beach County and delivered to the Palm Beach County Finance Department, Revenue Section, P.O. Box 4036, West Palm Beach, Florida 33402.

- 3. The Agreement is hereby modified to add the following:
 - 12) <u>NO THIRD PARTY BENEFICIARY:</u>

No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement, including but not limited to any citizen or employees of the County and/or Village.

- 4. The Agreement is hereby modified to add the following:
 - 13) **INSPECTOR GENERAL ORDINANCE:**

Palm Beach County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General is authorized with the power to review past, present and proposed County contracts, transactions, accounts and records. The Inspector General's authority includes, but is not limited to, the power to audit, investigate, monitor, and inspect the activities of entities contracting with the County, or anyone acting on their behalf, in order to ensure compliance with contract requirements and to detect corruption and fraud. Failure to cooperate with the Inspector General or interfering with or impeding any investigation shall be a violation of Palm Beach County Code, Section 2-421 - 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor

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5. The Agreement is hereby modified to add the following:

14) <u>NONDISCRIMINATION</u>

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Agency assures and certifies that it shall comply with Title VII of the Civil Rights Act of 1964, as amended, and Palm Beach County Resolution No. R92-13, and shall not discriminate against any individual on the basis of their race, color, national origin, religion, ancestry, sex, age, marital status, familial status, sexual orientation, disability, gender identity or expression, or genetic information.

6. All other terms of the Agreement remain unmodified and in full force and effect.

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IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the County and Village has hereunto set its hand the day and year above written.

By:

ATTEST: SHARON R. BOCK, CLERK & COMPTROLLER

PALM BEACH COUNTY, a political subdivision of the State of Florida

By:

Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By Assistant County Attorney

Priscilla A. Taylor, Mayor

APPROVED AS TO TERMS AND CONDITIONS

By: 5 m Audrey Wolf, Director, **Facilities Development & Operations**

ATTEST:

odu By: Village Clerk

VILLAGE OF WELLINGTON, FLORIDA

By: Bob Margolis, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Bv Village Attorney

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